

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In Re:

MARK LEON, JR ,

Case No. 6:15-bk-00375-KSJ

Debtor.

Chapter 13

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OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

COMES NOW, CALVARY SPV I, LLC - ASSIGNEE OF CAPITAL ONE, N.A. (hereinafter "CALVARY SPV I, LLC"), by and through its undersigned attorneys, hereby objects to the confirmation of the Debtor's Chapter 13 Plan (hereinafter "Plan"), and in support thereof would show:

1. The Debtor filed Chapter 13 on January 15, 2015.
2. On January 25, 2013, the Debtor acquired a **2013 POLARIS ATV, VIN: 4XAJT9EA6DF680837** ("Collateral") by obtaining a loan from CALVARY SPV I, LLC.
3. CALVARY SPV I, LLC holds a lien on the Collateral, and is indicated on the certificate of title as a lienholder.
4. The balance due CALVARY SPV I, LLC pursuant to its proof of claim is \$16,674.33.
5. The Debtor's Plan proposes to pay CALVARY SPV I, LLC the amount of \$0.00.
6. The Debtor provided documentation indicating the Debtor sold the Collateral in January, 2014 for \$10,000, but did not use any of the proceeds to pay the lien.
7. CALVARY SPV I, LLC objects to the confirmation of the Debtor's Plan for the following reasons:
 - (a). the Debtor's Plan does not properly treat the secured claim of CALVARY

SPV I, LLC required by Section 1325(a)(5). The Plan must provide for full payment of CALVARY SPV I, LLC's claim plus interest

- (b). the Debtor's action in filing the petition was not in good faith.
- (c). the Debtor's Plan has not been proposed in good faith.

WHEREFORE, CALVARY SPV I, LLC respectfully requests the Court to deny confirmation of the Debtor's Plan, and for such further relief as the Court finds just.

/s/DENNIS J. LEVINE, ESQ.
DENNIS J. LEVINE, ESQ.
Fla. Bar No. 375993
DAVID E. HICKS, ESQ.
Fla. Bar No. 0368245
ALISON VERGES WALTERS, ESQ.
Fla. Bar No. 0679402
KELLEY KRONENBERG ATTORNEYS AT LAW
1511 N. Westshore Blvd., Suite 400
Tampa, FL 33607
813-223-1697
(813) 433-5275 (fax)
E-mail: dlevine@kelleykronenberg.com
Attorneys for CALVARY SPV I, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Objection to Confirmation has been furnished either by electronic or standard first class mail to the parties listed below on this 20th day of July, 2015.

/s/DENNIS J. LEVINE, ESQ.
DENNIS J. LEVINE, ESQ.

Mark Leon, Jr
21 Sandusky Rd
South Daytona, FL 32119

Robert Zipperer, Esq.
224 S. Beach St., Suite 202
Daytona Beach, FL 32114

Laurie Weatherford, Trustee
P.O. Box 3450
Winter Park, FL 32790